



May 8, 2012

VIA ECFS

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Stephanie A. Joyce**

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Re: Notice of Permitted *Ex Parte* Meeting, WC Docket No. 09-144, CC Docket No. 96-128, and CC Docket No. 99-200

Dear Ms. Dortch:

On May 7, 2012, Securus Technologies, Inc. met with the following persons at the Commission to discuss the Securus Petition for Declaratory Ruling, the rate issues contained in the petitions of Martha Wright, and the Millicorp LLC Petition for Limited Waiver:

Austin Schlick, General Counsel  
Diane Griffin Holland, Deputy Associate General Counsel  
Nicholas Alexander – Deputy Division Chief, Pricing Policy Division  
Pamela Arluk – Assistant Division Chief, Pricing Policy Division, Wireline Competition Bureau  
Marcus Maher, Office of General Counsel  
Raelynn Remy, Office of General Counsel  
Michele Berlove – Wireline Competition Bureau

Representing Securus were Dennis J. Reinhold, Vice President and General Counsel, Curtis L. Hopfinger, Director–Regulatory and Government Affairs, and the undersigned. This disclosure is made in compliance with 47 C.F.R. § 1.1206(a)(3).

During the meeting, the attendees discussed matters raised in the Securus Petition, the pleadings that Millicorp, which operates ConsCallHome.com, has filed in WC Docket No. 09-144, the rate and cost information submitted in CC Docket No. 96-128, and the Millicorp Petition for Limited Waiver filed recently in CC Docket No. 99-200.

Securus noted that it has recently won high-volume contracts that enable it to provide very low rates, such as the Missouri Department of Corrections contract. Securus stated that it would file examples of its calling rates this week.

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Securus also explained the effect of site commissions on rates, and the fact that site commissions are the product of a public policy decision made by correctional authorities, and in some cases state legislatures, to fund prison operations and inmate welfare programs through the inmate telecommunications system. Securus explained that, as a vendor, it cannot prohibit the imposition of site commissions. Were the Commission to hold that site commissions may not be passed through in calling rates, inmate telecommunications providers that are presently bound by site commission clauses and rate-specific contracts would be harmed.

With regard to its Petition, Securus stated that the Commission has the jurisdiction to rule on the question whether inmate phones, which are regulated as payphones under federal law, may block call diversion schemes. The Commission previously has held that inmate phones may block 1-800 numbers and that the persons whom inmates call cannot choose the long-distance provider. These decisions were based on the security concerns unique to the penological setting. Call diversion is another threat to security, and the Commission has the authority to hold that they also may be blocked.

With regard to the Millicorp Petition for Limited Waiver, Securus stated that it would file comments on that Petition today, May 8. Securus stated that Millicorp's Petition improperly compares its services, such as ConsCallHome, to interconnected VoIP service such as Vonage. The Petition also states that the waiver should be granted pursuant to the Commission's holding in the *SBCIS Waiver Order*,<sup>1</sup> but Millicorp does not meet the standard established in that order. Securus also stated that it does not know how Millicorp would identify or mark numbers if it received them directly as it would like to do. Mr. Schlick requested that Securus serve him a copy of its comments electronically.

Securus provided large, foam-backed versions of the attached documents to explain its service and the nature of call-diversion schemes.

Sincerely,

s/Stephanie A. Joyce

*Counsel to Securus Technologies, Inc.*

Attachments

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<sup>1</sup> *In the Matter of Admin. of the N. Am. Numbering Plan*, Order, 20 FCC Rcd. 2957, 2958-59 ¶ 3 (2005).